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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.7695 OF 2023  
(Nitin Laxman Ashtikar vs. Union of India and others)

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Office Notes, Office Memoranda of  
Coram, appearances, Court's orders Court's or Judge's orders  
or directions and Registrar's orders.

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Shri N.C. Phadnis, Advocate for petitioner.  
Shri V.A. Bramhe, Advocate for respondents.

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CORAM : A.S. CHANDURKAR AND ABHAY J. MANTRI, JJ.  
DATED : NOVEMBER 09, 2023

It is submitted by Shri Phadnis, learned Counsel for the petitioner, that in the enquiry report dated 31/5/2023 the charges levelled against the petitioner were held to be not proved. The Disciplinary Authority in a manner contrary to Rule 15(2) of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 disagreed with the findings recorded by the Enquiry Officer and proceeded to hold that the charges against the petitioner were proved. This aspect was not considered by the Central Administrative Tribunal and the Original Application preferred by the petitioner was dismissed.

- 2) Issue notice, returnable in four weeks.
- 3) Shri Bramhe, learned Counsel waives notice for the respondents.
- 4) Since a prima facie case has been made out, it is directed that until further orders, no steps be taken against

the petitioner consequent upon dismissal of Original Application No.822/2023.

JUDGE

JUDGE

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